

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BAYER HEALTHCARE AG, ALCON, INC.,)	
and ALCON MANUFACTURING, LTD.,)	
)	
Plaintiff,)	
)	C.A. No. 06-234-SLR
v.)	
)	
TEVA PHARMACEUTICALS USA, INC.,)	
)	
Defendant.)	

**NOTICE OF FED.R.CIV.P. 30(b)(6)
DEPOSITION OF BAYER HEALTHCARE AG**

TO:

Frederick L. Cottrell III, Esquire
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You are hereby advised that defendant Teva Pharmaceuticals USA, Inc. pursuant to Fed. R. Civ. P. Rule 30(b)(6), will take the deposition of Bayer Healthcare AG at such place and time as may be agreed upon by counsel and continuing from day to day thereafter until completed. The deposition will be recorded stenographically and may be video taped. One or more of defendant's counsel may appear telephonically. The deponent is not a natural person. Pursuant to Fed. R. Civ. P. 30(b)(6), Bayer Healthcare AG is required to designate one or more persons to testify at the deposition as to the matters known or reasonably available to Bayer Healthcare AG concerning all topics set forth on the attached Appendix A.

February 23, 2007

THE BAYARD FIRM

/s/ Richard D. Kirk (rk0922)

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Appendix A
Topics for Bayer Deposition
Pursuant to Fed.R.Civ.P. 30(b)(6)

Topics

1. As identified in Plaintiffs Disclosure of Individuals Pursuant to Paragraph 1 of the Court's Scheduling Order for Klaus-Dieter Bremm, the testing and properties of various compounds, both within and outside of the claims of the Bayer patents, and objective indicia of nonobviousness.

2. Declarations submitted by Klaus-Dieter Bremm to the United States Patent Office, including those submitted in U.S. Patent No. 5,607,942 and U.S. Application No. 08/026,906.

CERTIFICATE OF SERVICE

The undersigned counsel certifies that, on February 23, 2007, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

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The undersigned counsel further certifies that, on February 23, 2007, copies of the foregoing document were sent by email and hand to the above local counsel and by email and first class mail to the following non-registered participant:

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